

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 31409 of 2015 (A)

PETITIONER(S):

**ARSHAD, AGED 24 YEARS,
A/O.MOISU, KUNANIYIL HOUSE,
KATTIPARUTHY VILLAGE, VALANCHERY P.O.,
THIRUR TALUK, MALAPPURAM DISTRICT,
(OWNER OF THE LORRY BEARING REGISTRATION
NO.KL-50-2786)**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
VALANCHERRY POLICE STATION,
MALAPPURAM DISTRICT, PIN -673 645.**
- 2. THE REVENUE DIVISIONAL OFFICER,
THIRUR, MALAPPURAM DISTRICT,
PIN -673 645.**
- 3. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT, PIN - 673 645.**
- 4. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM,
THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 31409 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
DTD.15.9.2015 IN WPC NO.27843/2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P(C).No. 31409 of 2015

Dated this the 15th October, 2015

JUDGMENT

The petitioner's vehicle bearing registration No.KL-50-2786 has been seized alleging transport of river sand without permit. The petitioner requested the Revenue Divisional Officer to take sample and send the same for analysis by the fourth respondent. It is submitted by the counsel for the petitioner that the sample has already been taken. According to the petitioner, in connection with the seizure of the vehicle, the first respondent lodged FIR No.699/2015 of Valanchery Police station.

In view of the above, there shall be a direction to the second respondent Revenue Divisional Officer to forward the sample to be analysed by the fourth respondent. Needful shall be done within two weeks. Thereafter, the fourth respondent shall send his report after analysing to the second respondent within a further period of two weeks. Based on the report received from the fourth

respondent, the second respondent shall finalise the proceedings within two weeks after hearing the petitioner. Till a decision is taken in the matter, the petitioner shall not be arrested pursuant to Exhibit P1 FIR.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs16/10/15